GOVERNMENT OF ANDHRA PARDESH
ABSTRACT

Home Department – Notification on Establishment and Functioning of the Directorate of Prosecution (DoP), District Directorate of Prosecution (DDoP) and Assistant Director of Prosecution under sub-section 11 of Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 – Notification - Orders –Issued.

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HOME (COURTS-B) DEPARTMENT

G.O.MS.No. 136 Dated: 18-09-2025
Read the following:-

1.From the Director of Prosecution, Andhra Pradesh, Vijayawada, Letter No.2902401/Legal/2025, dated: 12.08.2025.
2.From the Director General of Police, AP, Mangalagiri, Rc.No.1006/ L&O-III/2024-25, dated: 13.08.2025.

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**ORDER**

In the circumstances reported by the Director of Prosecution, Andhra Pradesh, Vijayawada in the reference 1st read above, the Government here by issue the following notification and it shall be published in the Extraordinary issue of the Andhra Pradesh Gazette, dated: 18.09.2025.

**NOTIFICATION**

In exercise of the power conferred by sub-section (11) of Section 20 of the Bhartiya Nagarik Suraksha Sanita, 2023 (Act No. 46 of 2023) read with Government of India, Ministry of Home Affairs, the Government of Andhra Pradesh is pleased to specify the powers and functions of Director of Prosecution, Deputy Director of Prosecution (both at State Level as well as District Level) and Assistant Director of Prosecution as under:-

**A) The Director of Prosecution (DOP) at the State Level:**

**Functions of Director of Prosecution :**

1. The Director of Prosecution shall exercise overall supervision and direct control over every prosecution instituted on behalf of the State Government and over the prosecutorial work of all Public Prosecutors, Additional Public Prosecutors, Special Public Prosecutors, and Assistant Public Prosecutors who conduct prosecutions before every criminal Court within the State.

2. The Director of Prosecution shall also ensure that the functions of taking decisions regarding the filing of revisions, appeals, or other legal proceedings and the function of conducting prosecution before the Courts are not entrusted to the same officer at any level, in order to safeguard the interests of justice and to uphold the commitment to fair and impartial trials.

3. The Director shall also scrutinize each proposal for appeal or revision received and shall record a reasoned opinion, and forward recommendations to the Government within the limitation periods.

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4. The Director shall monitor the timely institution and diligent prosecution of all Government appeals, revisions, or other legal proceedings until final disposal.

5. The Director of Prosecution shall ensure adherence to substantive and procedural law during investigation, inquiry, and trial, and rectify any deficiencies that may compromise justice.

6. The Director of Prosecution shall ensure the presence, appearance, and effective performance of all prosecuting officers before the Courts and issue standing orders or written directions as may be necessary to secure their punctual attendance and to guarantee effective representation of the State in all proceedings.

7. The Director shall organise capacity building and continuing legal education programmes for prosecuting officers and shall also submit periodic recommendations to the Government for the systematic improvement of prosecutorial standards.

8. The Director shall conduct quarterly performance evaluations of all prosecuting officers and submit efficiency reports as prescribed within the stipulated time.

9. The Director of Prosecution shall ensure the effective functioning and utilization of the e-Prosecution portal and other technology-based initiatives across the State.

10. The Director may, upon request or whenever the ends of justice so require, tender formal legal advice to any prosecuting officer in relation to a criminal matter under that officer's charge.

11. The Director may obtain, through the Deputy Director of Prosecution, periodic returns and analytical statements concerning the conduct of prosecutions before the Sessions Courts and Magistrates' Courts, in such form and at such intervals as the Director may prescribe for maintaining prosecutorial quality.

12. The Director may, with the prior approval of the State Government, nominate a subordinate officer to coordinate with the Advocate-General or Additional Advocate-General in relation to any serious criminal case pending before the High Court or the Supreme Court of India.

**B. <u>Powers of the Director of Prosecution:-</u>**

1. The Director of Prosecution shall have the power to requisition any report, return, case file, or other document, as he may deem necessary, from every Public Prosecutor and Additional Public Prosecutor appointed under sub- section (1) of section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and from every Special Public Prosecutor appointed under sub-section (8) of the said section excluding the Advocate General and Additional Advocate General for the purpose of evaluating their performance or for preparing or drafting the replies/submissions to be filed in any proceedings before the Hon'ble High Court.

2. In terms of sub-section (7) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, Director shall have the power to monitor cases having punishment of ten (10) years or above, life imprisonment or death and, without prejudice thereto, shall oversee the steady progress and timely disposal of all other criminal cases pending before the Courts within the State.

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3. Daily electronic work reports through the designated digital prosecution platform and shall ensure that the platform remains functional and secure.

4. The Director shall have the power to issue standing orders and administrative directions, consistent with section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with the prior approval of the Government, for the efficient and effective functioning of the prosecutorial service.

5. The Director shall, as Head of the Department, exercise every administrative and financial power that the State Government, by rule or order, vests in a departmental head, subject to budgetary and procedural regulations in force.

6. The Director shall exercise such additional powers as the State Government may from time to time confer by general or special order in accordance with sub-section (11) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. The Director may, by written order and subject to any conditions specified therein, delegate any power conferred by these Guidelines to an officer subordinate to the Director; every such delegation shall be revocable and shall not prevent the Director from exercising the power concurrently.

## C) The Deputy Director of Prosecution at the District Level

### Powers of Deputy Director of Prosecution at the District Level

1. The Deputy Director of Prosecution shall exercise immediate control and supervision over every prosecution instituted on behalf of the State in respect of cases pertaining to the offence punishable for seven years or more, but less than ten years, for ensuring their expeditious disposal before any criminal Court in the district. He shall also monitor the progress of every such case.

2. The Deputy Director of Prosecution shall secure the punctual attendance and diligent performance of each Public Prosecutor, Additional Public Prosecutor, Special Public Prosecutor and Assistant Public Prosecutor before the Courts of that district.

3. The Deputy Director of Prosecution may solicit and record written comments or legal opinions from prosecuting officers and shall process those submissions for appropriate action, including the issuance of directions or reference to the Director of Prosecution.

4. The Deputy Director of Prosecution shall conduct periodic evaluations of the work of all prosecuting officers in the district, prepare efficiency reports in the form prescribed by the Director of Prosecution and transmit those reports within the stipulated time.

5. The Deputy Director of Prosecution shall ensure that every appeal, revision or other proceeding filed by or on behalf of the Government within the district is instituted within the statutory period and is diligently prosecuted until final disposal.

6. The Deputy Director of Prosecution shall design and implement capacity-building initiatives for prosecuting officers and shall continuously strive to enhance the quality of prosecution work in the district.

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7. The Deputy Director of Prosecution shall discharge such additional duties as the State Government, or the Director of Prosecution may assign by general or special order.

8. In accordance with sub-section (8) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Deputy Director of Prosecution shall examine/scrutinise the police reports and monitor the prosecution of offences punishable with imprisonment of seven years or more but less than ten years, ensuring their prompt and lawful disposal.

9. The Deputy Director of Prosecution shall supervise the conduct of trials handled by Additional Public Prosecutors and Assistant Public Prosecutors within the district and shall provide guidance or intervention whenever prosecutorial efficiency so requires.

10. The Deputy Director of Prosecution shall convene monthly coordination meetings with all prosecuting officers, review caseloads and performance metrics, and submit a consolidated report of the proceedings to the Director of Prosecution.

11. The Deputy Directors of Prosecution shall compile and submit quarterly reports to the Director of Prosecution, Secretary (Home), or Additional Secretary (Home) concerning the disposal of cases in the district.

**D) The Assistant Director of Prosecution:**

**Powers and functions of the Assistant Director of Prosecution**

1. The Assistant Director of Prosecution shall supervise and ensure the proper conduct of every prosecution instituted on behalf of the State Government before the Magistrates' Courts of the district.

2. The Assistant Director of Prosecution shall examine police reports and monitor the prosecution of offences punishable with imprisonment for less than seven years and shall adopt every lawful measure necessary to secure their prompt and orderly disposal.

3. The Assistant Director of Prosecution shall assist the Director of Prosecution and the Deputy Director of Prosecution in making interim or additional charge arrangements for Assistant Public Prosecutors within the district whenever circumstances so require.

4. The Assistant Director of Prosecution shall administer the e-Prosecution portal at the district level, and shall ensure that prosecuting officers upload opinions, case-status updates and disposal details accurately and within the time-frames prescribed by the Director of Prosecution.

5. The Assistant Director of Prosecution shall enforce strict compliance by all prosecuting officers with every instruction issued by the Director of Prosecution or the Deputy Director of Prosecution.

6. The Assistant Director of Prosecution may conduct surprise inspections of the offices of Assistant Public Prosecutors within the district and shall, within forty-eight hours of each inspection, submit a written report to the Director of Prosecution.

7. The Assistant Director of Prosecution may convene a monthly review meeting of all Assistant Public Prosecutors in the district, record the proceedings in the form prescribed and forward the minutes, together with any recommendations, to the Director of Prosecution within seven days.

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8. The Assistant Director of Prosecution shall attend every quarterly review meeting convened by the Director of Prosecution and every monthly meeting convened by the Deputy Director of Prosecution and shall implement without delay any decisions taken therein.

9. The Assistant Director of Prosecution shall participate in such other meetings as the Director of Prosecution or the Deputy Director of Prosecution may call from time to time for the purpose of improving prosecutorial performance.

10. The Assistant Director of Prosecution shall act under the general control of the Director of Prosecution and the immediate supervision of the Deputy Director of Prosecution and shall discharge such further responsibilities as the State Government, the Director of Prosecution, or the Deputy Director of Prosecution may assign by general or special order.

11. The Assistant Director of Prosecution shall provide the final opinion in cases triable by a Magistrate, where the prescribed punishment is less than seven (7) years.

In furtherance of the above guidelines, the illustrative roles and functions of Public Prosecutors/Additional Public Prosecutors/Assistant Public Prosecutors have been outlined to support the effective establishment and functioning of the Directorate of Prosecution at the State and District levels, as per Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**A) Public Prosecutors :**

**Powers and Functions of Public Prosecutors:**

1. The Public Prosecutor is responsible for supervising and reviewing the reports prepared by the Assistant Public Prosecutors and Additional Public Prosecutors concerning the acquittal, discharge, and conviction of accused individuals, and for forwarding these reports to higher authorities.

2. The Public Prosecutor has the authority to inspect the offices of Additional Public Prosecutors, Special Public Prosecutors, and Assistant Public Prosecutors to ensure they are effectively prosecuting cases under their jurisdiction.

3. The Public Prosecutor is empowered to convene meetings with Additional Public Prosecutors, Special Public Prosecutors, and Assistant Public Prosecutors in the district to monitor the progress of cases managed by them.

4. The Public Prosecutor may provide legal opinions on cases within their jurisdiction, as requested by the Investigating Agency or other state agencies and departments.

5. The Public Prosecutor exercises administrative control over the Naib Courts in various district courts, including sanctioning leaves, assigning placements in specific courts, or directing them to the prosecution branch to ensure smooth prosecution operations.

6. The Public Prosecutor will attend official meetings with Judicial Officers to discuss any concerns or issues related to the duties of Additional Public Prosecutors, Assistant Public Prosecutors, and Naib Courts.

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7. The Public Prosecutor provides input in forming opinions on whether to file an appeal or revision against any judgments or orders in cases handled by Additional Public Prosecutors and Assistant Public Prosecutors.

8. The Public Prosecutor has the authority to assign additional duties to Additional Public Prosecutors and Assistant Public Prosecutors.

**B) Additional Public Prosecutor :**

**Powers and Functions of Additional Public Prosecutors:**

1. The Additional Public Prosecutor shall conduct the prosecution of cases on behalf of the State in various Sessions Courts.

2. The Additional Public Prosecutor will provide legal opinions on the cases they are handling, or any other cases assigned to them by the Assistant Director of Prosecution or the Public Prosecutor.

3. The Additional Public Prosecutor will review the official replies or comments received from the investigating agency for submission in legal forums or inquiry commissions.

4. The Additional Public Prosecutor shall supervise the work of Assistant Public Prosecutors and review reports prepared by them regarding the conviction, acquittal, and discharge of the accused.

5. The Additional Public Prosecutor will prepare reports on the conviction, acquittal, and discharge of the accused in their cases and forward them to the Deputy Director of Prosecution, along with recommendations on whether the case is suitable for appeal or revision.

6. The Additional Public Prosecutor is responsible for maintaining the records prepared by Naib Courts and supervising their work and conduct.

7. The Additional Public Prosecutor has the authority to oversee the work and conduct of Naib Courts posted in Sessions Courts, including the records maintained by them.

8. The Additional Public Prosecutor will provide the required diaries, statements, and other relevant information requested by the Director of Prosecution on matters related to the cases they are handling.

9. The Additional Public Prosecutor may be assigned additional tasks or duties by senior officers or the State Government.

10. Additional Public Prosecutor may be deputed to deliver lectures and conduct training sessions for police officers at various police training centers to raise awareness about the latest legal developments and ensure effective and timely investigation of cases.

**C) Assistant Public Prosecutor:**

**Powers and Functions of the Assistant Public Prosecutor:**

1. The Assistant Public Prosecutor is responsible for prosecuting criminal cases on behalf of the State in the court of the Chief Judicial Magistrate, Additional Judicial Magistrate, Judicial Magistrate, or any designated court with equivalent jurisdiction.

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2. Assistant Public Prosecutor will scrutinize charge sheets and police reports related to the cases they are handling.

3. The Assistant Public Prosecutor will prepare reports regarding the conviction, acquittal, and discharge of the accused in the cases they prosecute.

4. The Assistant Public Prosecutor may provide legal opinions on the cases they are handling or any other cases assigned to them by senior officers.

5. The Assistant Public Prosecutor has the authority to supervise the work and overall functioning of the Naib Court assigned to their court.

6. The Assistant Public Prosecutor may be deputed to deliver lectures and provide training to police officers at various police training centers to raise awareness about legal developments and promote efficient investigation of cases.

7. The Assistant Public Prosecutor will provide the necessary diaries, statements, and other information requested by the Director of Prosecution related to their cases.

8. The Assistant Public Prosecutor will review the official replies or comments from the investigating agency for submission in legal forums or inquiry commissions.

**2.** The Director of Prosecution, Andhra Pradesh, Vijayawada, is requested to take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**KUMAR VISHWAJEET**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner of Printing, Stationary & Stores Purchase, Muthyalampadu,
Vijayawada, NTR District, Andhra Pradesh.
The Director of Prosecution, Andhra Pradesh, Vijayawada.
Copy to:-
The Director General of Police, Andhra Pradesh, Mangalagiri.
OSD to Hon'ble Minister (Home).
PS to Principal Secretary to Government (Home)
The Law(C) Department
SF/SC

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**